

TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401 SPR



Project Name: SOMETHING BLUE GIFTS

Case Number: PSR2009-00011

Location: 6101 NE St. John's Road.

Request: The applicant is requesting to pave an existing parking area, sell yard décor, include a coffee cart, and other seasonal operations.

Applicant: Christina Duncan
6101 NE St. John's Road
Vancouver, WA 98661
360-798-2125

Contact Person: Same

Property Owner: Same

DECISION

Approve subject to Conditions of Approval

Team Leader's Initials: ATB **Date Issued:** June 17, 2009

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Team Leader:	Travis Goddard	4180	Travis.Goddard@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater):	Sue Stepan P.E.	4102	sue.stepan@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte P. E.	4017	steve.schulte@clark.wa.gov

Comp Plan Designation: CC

Parcel Number(s): 149122-000 and 149207-000

Applicable Laws:

Clark County Code: Title 15 (Fire Prevention), Section 40.230.010 (Commercial Districts), Section 40.350 (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.380 (Storm Water Drainage and Erosion Control), Section 40.430 (Geologic Hazard Areas), Sections 40.500 and 40.510 (Procedures), Section 40.520.040 (Site Plan Review), Section 40.570 (SEPA), Section 40.570 (SEPA Archaeological), Section 40.610 (Impact Fees), Title 24 (Public Health), and the Clark County Comprehensive Plan.

Neighborhood Association/Contact:

East Minnehaha Neighborhood Association

Sue Lintz, President
5914 NE 65th Court
Vancouver, WA 98661
693-9153
E-mail: tonysuel@aol.com

Time Limits:

The application was determined to be fully complete on March 31, 2009. Therefore, the County Code requirement for issuing a decision within 78 days lapses on June 17th, 2009. The State requirement for issuing a decision within 120 calendar days, lapses on July 8th, 2009.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, East Minnehaha Neighborhood Association and property owners within 300(urban) feet of the site on April 14th, 2009.

Public Comments:

None

Project Overview

The site is located on the north east corner of St. John's Road and Minnehaha Street. It is in Clark County jurisdiction but is fronted by St. John's Road which is the boundary for the City of Vancouver.

The site currently has a single story commercial building and a large undeveloped area of gravel parking. There are no critical areas on the site.

The property is zoned C-3 after a 1980 concomitant rezone changed it from R-7.5. The conditions of that rezone have never been completed but as discussed below, can be addressed through this application process.

At the time of the rezone, the surrounding properties were residential or industrial in nature whereas the current zoning reflects an industrial, commercial and residential mix of zoning and uses.

The property is located within the service areas for the City of Vancouver water; sewer; schools, and also Fire District #5.

This site has a history of commercial uses but has never been brought up to the current standards for development since it was rezoned in 1980. The applicant proposes a site plan approval that can bring the site up to standards.

The proposal includes the following (per the narrative):

- Asphalt driveway and parking improvements;
- Business hours of seven (7) hours per day, five (5) days a week, except during holidays where the site will used seven (7) days a week for up to ten (10) hours a day;
- Occasion delivery of material;
- Yard décor sales with display;
- Community functions (bake sales, Girl/Cub scouts sales, etc.); and
- Seasonal sales & activities (Christmas Tree Sales, Easter Egg Hunts, Halloween Spookyville, etc.).

Staff further understands that a coffee cart could be located on the site so has identified Finding 13 in that event. (SEE BELOW)

REVISED: Staff recognizes that the applicant is currently operating some aspects of this development proposal, and that some of the proposed uses do not require additional site plan review. However, some of the uses will trigger the need for additional review and on-site improvements.

For this reason, staff hereby recognizes Phase 1 to include:

- *The paving as proposed so that the site can meet ADA standards (provided it does not exceed stormwater thresholds);*
- *The delivery of materials;*
- *The outside display of yard décor and other "Something Blue" products (provided they are displayed in a manner that they do not block sight distance at either driveway or at the corner of the fronting streets);*
- *The engagement in community functions (as discussed);*
- *Seasonal sales/activities as discussed; and,*
- *The use of the site for a portable walk up coffee cart.*

Phase 2 includes:

- *The expansion of a portable walk up coffee cart into a “drive-up” coffee cart; and*
- *The placement of any “drive-up” business activity on the site.*

Not included are:

- *The addition of any additional permanent structures to the site;*
- *The addition of any portable structures out of which businesses are operated; or,*
- *Any change in use which might otherwise trigger additional site plan review.*

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	CC	C-3	Commercial
North	BPA	ML	Bonneville Power Lines
East	UM	R-18	Vacant
South	CC	C-3	Commercial
West	COM	CG	City Commercial

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:**Finding #1 - Zoning**

The property is encumbered by a concomitant rezone covenant pursuant to Board of County Commissioners Resolution No 1980-04-103, which rezoned the property from Single-Family Residential (R-7.5) to General Commercial (CG) in 1980. Therefore, the provisions of the covenant apply to development of this site in addition to those of the current development code, unless the covenant is released. Where the provisions of the covenant conflict with the provisions of current ordinances, the most stringent will apply. However, the covenant also states that it can be modified to meet current standards through the site plan process.

The property owner may pursue a covenant release, in accordance with CCC 40.560.020(F), which prescribes the procedures and approval criteria for such covenant release. The covenant release application in this case would be subject to a Type II process because substantial development of the site under the covenant has not occurred.

Should the applicant find any of the zone change conditions more onerous than current code standards, and is unable to obtain relief from those standards through a variance, road mod, or other application, staff suggests that changing the covenant would be a viable alternative.

Finding #2 - Landscaping

The zone change required specific landscaping and screening standards for the site. Below is a comparison of the 1980 requirements and the current standards. The most restrictive apply but the 1980 agreement allows the applicant flexibility to propose to meet the new standards.

A landscaping plan meeting the requirements must be submitted for review by the planner, as part of Phase 1. (See condition # A-4 and F-1)

Boundary	1980 Agreement	Current Standards
North	None	10-foot buffer with L2 Landscaping.
East	6-foot site-obscuring wooden fence.	10-foot buffer with L4 Landscaping/Screening.
South	Site-obscuring landscaping buffer along the property line.	5-foot buffer with L1 Landscaping/Screening.
West	10-foot landscaping buffer.	10-foot buffer with L2 Landscaping.

Finding #3 – Pedestrian Circulation

Pedestrian routes connecting commercial buildings with the public streets are required to be a minimum 8 feet wide in accordance with CCC 40.230.010(D)(5)(a). A plan showing this standard will be met, will have to be implemented as part of the Final Site Plan process. (See condition #A-1.c) This should be installed as part of Phase 1 operations.

Finding #4 - Sidewalks

Unless a road modification or variance is obtained under the current standards, the 1980 covenant requires a sidewalk to be constructed along St. Johns and Minnehaha Street. Any portion of the sidewalk that is missing should be installed as part of Phase 2. (See condition #A-1.h)

Finding #5 – Lighting Plan

Applicant must submit a lighting plan which demonstrates that lighting on the site will not result in light or glare impacts to the adjacent properties or traveling public. This plan must be completed and implemented as part of the improvements for Phase 2 Final Site Plan process. (See condition # A-1.d)

Finding #6 – Access Issues

The zone change required that the access to St. Johns be closed. However, the 1980 agreement allows the applicant flexibility to propose to meet the new standards. Should the applicant want to keep the access to St. Johns they can engage in the engineering effort to determine if this condition is still applicable under current standards. Alternatively, the applicant can apply for a road modification under current code, approval of which could also allow the applicant to maintain the access (and still be consistent with the zone change covenant). (See condition # A-2.b) This analysis will be required before Phase 2 can be implemented.

Finding #7 – Sewer and Water Service

The 1980 zoning covenant required that the applicant prove that there are public water and sewer services available to the site to service commercial development. The applicant submitted such proof with their application. Therefore, staff finds this condition to be met.

Finding #8 – Solid Waste Storage Areas

Storage areas for solid waste and recyclables are required in accordance with CCC 40.360. The proposal did not address garbage disposal. Therefore, the applicant will be required to develop a plan which meets the current standards laid out in CCC 40.360.030. Storage areas may not be located within a required landscape buffer. They may be located within the building, in which case a floor plan should be submitted in lieu of a solid waste disposal plan. The floor plan or the disposal plan will have to be implemented as part of the Phase 1. (See condition #A-1.e) Restrictions on the placement of permanent buildings or additions will not apply to any structure added for the sole purpose of providing solid waste storage area.

Finding #9 – Storm Drainage

The 1980 zoning covenant required that the applicant provide a storm drainage plan, a drainage easement, and an on-site detention storm water system. As part of the Final Site Plan process, the applicant could alternatively provide proof that they can meet the equivalent current standards for an “on-site detention storm water system”. This proof or a plan meeting current equivalent standards must be completed and implemented as part of the Final Site Plan process. (See condition #A-1.f) However it should be noted that the current proposal did not trigger current standards. (Please note: “Not triggered” does not imply “consistent with”) New or additional improvements will be looked at cumulatively, for the applicability of new stormwater standards.

Finding #10 – Signage

The 1980 zoning covenant required that the applicant provide a signage plan. Under current code, the applicant can apply for a separate sign permit at any time. Therefore, staff finds this condition to be met provided the applicant obtains a valid sign permit.

Finding #11 – Parking

The 1980 zoning covenant required that the applicant implement the approved site plan. This plan included 47 pave parking spaces. This number far exceeds the current parking requirement. Initial estimates based upon a 30 foot by 125 foot (3,750 sq. ft.) retail building would only require 11 spaces. ADA requirements require that one of those spaces be accessible and meet ADA design standards.

Without any additional information, staff assumes the associated Easter and Christmas uses will require additional seasonal parking.

The applicant is proposing to pave an existing parking area but has not submitted a striping plan or any indications how many parking spaces will result from the project. Therefore, for Phase 2 the applicant will have to submit a parking plan as part of the Final Site Plan process, which clearly shows how many parking spaces will be provided to serve the site and that they meet the standards set forth in CCC 40.340. This plan will have to be implemented as part of the Final Site Plan process. (See condition #A-2.a)

Finding #12 – Uses

The site plan only shows the proposal to be a paving project. However, the narrative describes uses which are inconsistent with the proposed plan.

Staff therefore assumes that narrative is correct and the site plan will be updated as part of the Final Site Plan process. Given this, staff is providing the following analysis upon the assumption that the site will be used for the uses outlined in the narrative.

Yard Décor Sales – staff considers this to be “Yard and garden supplies” which are a PERMITTED USE in the C-3 district.

Summer Functions – like bake sales, Girl Scout cookies etc – would be incidental sales to the existing business and are considered exempt from site plan review if there is no “drive-up” window or sales.

Christmas Tree Sales - staff considers this to be a sales use similar to “Yard and garden supplies” which are a PERMITTED USE in the C-3 district. However, this type of activity could have parking and access implications for the site, therefore staff will require that a tree sales area be identified on a revised site plan so that it can be approved by the review planner. (See condition #A-1.g)

Seasonal Activities (Easter bunny/hunts and Halloween Spookyville) – while not discussed as permitted in the zoning district, staff again would consider this to be a seasonal activity similar to the tree sales. Staff therefore has the same concerns regarding a plan for the safe operation of such a use. This can be addressed in the same manner as the tree sales. (See condition #A-1.g)

Outside storage associated with the “open air display of plants and produce in conjunction with a permitted use” is a permitted use in the C-3 zone.

Finding #13 – Coffee Cart

Neither the site plan, nor the narrative discusses any kind of coffee “cart” however the engineering analysis includes discussion of a cart. Because the planner preparing this report has limited knowledge of the case and charged with meeting an accelerated timeline, it is assumed that a coffee cart is a potential option for this site.

In the past, a coffee cart was operated illegally on the site, and from that experience staff knows that access and the stacking of cars at the window, creates a traffic hazard when they back up onto St. John’s.

Without any additional information to perform an analysis of how the current applicant plans to address this issue, or a clear site plan for the cart, staff will clarify the same options that the previous operator had:

- a. The cart can be reviewed anywhere on the site if it is a portable walk up cart; or
- b. A coffee cart with drive-up windows can be operated provided it obtains approval of a Type II Site Plan Review.

However, the applicant has a third option that the previous owner never had, (because they never obtained a site plan review), it is:

- c. Staff could approve the location of the cart as part of the Final Site Plan process for Phase 2.

Finding #14 – Hours of Operation

In spite of the applicant indicating that they will only be open five (5) days a week for seven (7) hour days (except during holidays), staff finds that operations tend to occur

seven (7) days a week. In addition, there is no code limiting the site to fewer days. There is however a limit on the hours of operation if it operates in such a manner as to violate the noise standards set out in state nuisance standards. Staff therefore finds no limits are needed for the site if it is operating in conformance with the other code standards.

Finding #15 – Final Site Plan

Final Site Plan review will be required for Phase 2 because there are unresolved issues associated with the submittal. Staff hereby warns the applicant that they have five years to get final site plan approval, OR, expansion of the site into uses or activities that are listed as “Phase 2” (or would require additional county review), will trigger additional review if they fail to obtain Final Site Plan review within the five year timeline allowed by code.

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, can meet the land use requirements of the Clark County Code.

TRANSPORTATION:

Finding #1

The applicant has applied for an engineering case (ENG2009-00012) so there are no addition engineering issues at this time.

STORMWATER:

Finding #1

The applicant has applied for an engineering case (ENG2009-00012) so there are no addition engineering issues at this time.

FIRE PROTECTION:

Finding #1 – Fire Marshal Review

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition E-2)

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:

Finding #1

A condition of the 1980 concomitant rezone required that the site be connected to a public system for water and sewer. Letters from the City of Vancouver confirm that services are available to the site.

Conclusion (Water & Sewer Service):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

BUILDING:

Finding #1

ADA ramps and parking are required as part of the Final Site Plan Process. (See Condition A-1.b)

IMPACT FEES:

Finding #1 Traffic Impact Fees

The project occurs within the TIF within the South Orchards TIF District.

Calculation:

$(\$409 / \text{ADT}) \times (820.03 \text{ ADT} / \text{KSF}) \times (0.128 \text{ KSF}) \times (0.32) \times (0.85) \times (0.70) = \$8,173.91.$

Where \$409 / ADT is the TIF rate in South Orchards

820.03 ADT / KSF is the trip generation rate from independent studies

0.128 KSF is the size of the building

0.32 is the pass-by factor

0.85 is the "A" tax factor

0.70 is the business enhancement factor

TIF is payable prior to issuance of building permits. (See Condition E-1)

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate.

DECISION

Based upon the proposed plan (identified as Exhibit 1), and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

CONDITIONS OF APPROVAL

A	Final Construction/Site Plan Review Review & Approval Authority: Development Engineering
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Prior to construction, a Final Construction/Site Plan shall be submitted for review and approved, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Site Plan – The applicant shall submit and obtain County approval of a final site plan FOR PHASE 2 in conformance to CCC 40.350 and the following conditions of approval: (HOWEVER for Phase 1 conditions a, b, c, e, g, and ~~h~~ ^{ATG} have to be done even if a FSR is not filed)

- a. Archaeology - A note shall be placed on the face of the final site plan and construction plans as follows:
"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines." (Phase 1 and 2)
- b. American's With Disabilities Act – ADA ramps and parking meeting the applicable standards are required to be installed. (Phase 1)
- c. Pedestrian Circulation - Pedestrian routes connecting commercial buildings with the public streets are require to be a minimum 8 feet wide in accordance with CCC 40.230.010(D)(5)(a). (Phase 1)
- d. Lighting Plan - Applicant must submit a lighting plan which demonstrates that lighting on the site will not result in light or glare impacts to the adjacent properties or traveling public. (Phase 2)
- e. Solid Waste Storage Plan - Storage areas for solid waste and recyclables are required in accordance with CCC 40.360. The proposal did not address garbage disposal. Therefore, the applicant will be required to develop a plan which meets the current standards laid out in CCC 40.360.030. Storage areas may not be located within a required landscape buffer. They may be located within the building, in which case a floor plan should be submitted in lieu of a solid waste disposal plan. Restrictions on the placement of permanent buildings or additions will not apply to any structure added for the sole purpose of providing solid waste storage area.
- f. Storm Drainage – The 1980 zoning covenant calls for a drainage easement and a drainage system (with pond). A plan showing how this will be accomplished or how current codes supersede this standard will be required. (Phase 2)
- g. Seasonal Outdoor Area – The plan shall include a scaled demonstration of the areas that are intended for use as seasonal sales areas. This plan must demonstrate that safe parking and maneuvering is available on the site and that vehicle stacking onto the roadways does not create an unsafe environment.
- h. Sidewalks – Unless a road mod is obtained, sidewalks to current standards must be completed along both frontages as part of the improvements needed for Phase 2.

A-2 Transportation: (Phase 2)

- a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.
- b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system. A road modification can substitute for improvements that would otherwise be needed to meet this standard.

A-3 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380 and the following conditions of approval.

A-4 Final Landscape Plan - The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (ref: CCC 40.320). The landscape plan shall include landscaping within the public Rights-of-Way and on-site. (Phase 1)

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

B-2 Erosion Control - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control - Erosion control facilities shall not be removed without County approval.

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 None

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
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Prior to final plat approval and recording, the following conditions shall be met:

D-1 Not Applicable

E	Building Permits Review & Approval Authority: Customer Service
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Prior to issuance of a building permit, the following conditions shall be met:

E-1 Impact Fees – Prior to issuance of a building permit, the applicant shall pay Traffic Impact fees to the Clark County Building Department in the amount of \$8,173.91.

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate. (See Impact Fee Finding #1)

E-2 Fire Marshal Requirements:

- a. Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process

F	Occupancy Permits Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use and Critical Areas:

- a. Landscaping: Prior to the issuance of an approval of occupancy, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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G-1 Site Plans and Other Land Use Approvals - Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required If:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

G-3 Building and Fire Safety

Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

G-4 Building Elevation Approvals – Approval of building elevations submitted for preliminary plan review does not ensure compliance with other requirements (e.g., building setbacks) under other construction codes. Compliance with other construction codes is the responsibility of the applicant at the time of building permit issuance.

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 None

Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process:

An **appeal** of any aspect of this decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen

(14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on June 17, 2009. Therefore any appeal must be received in this office by July 1, 2009.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee of **\$1,166**.

Ninety percent (90%) of the fee will be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public hearing to consider the appeal.

Attachments:

- Copy of Proposed Preliminary Plan

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

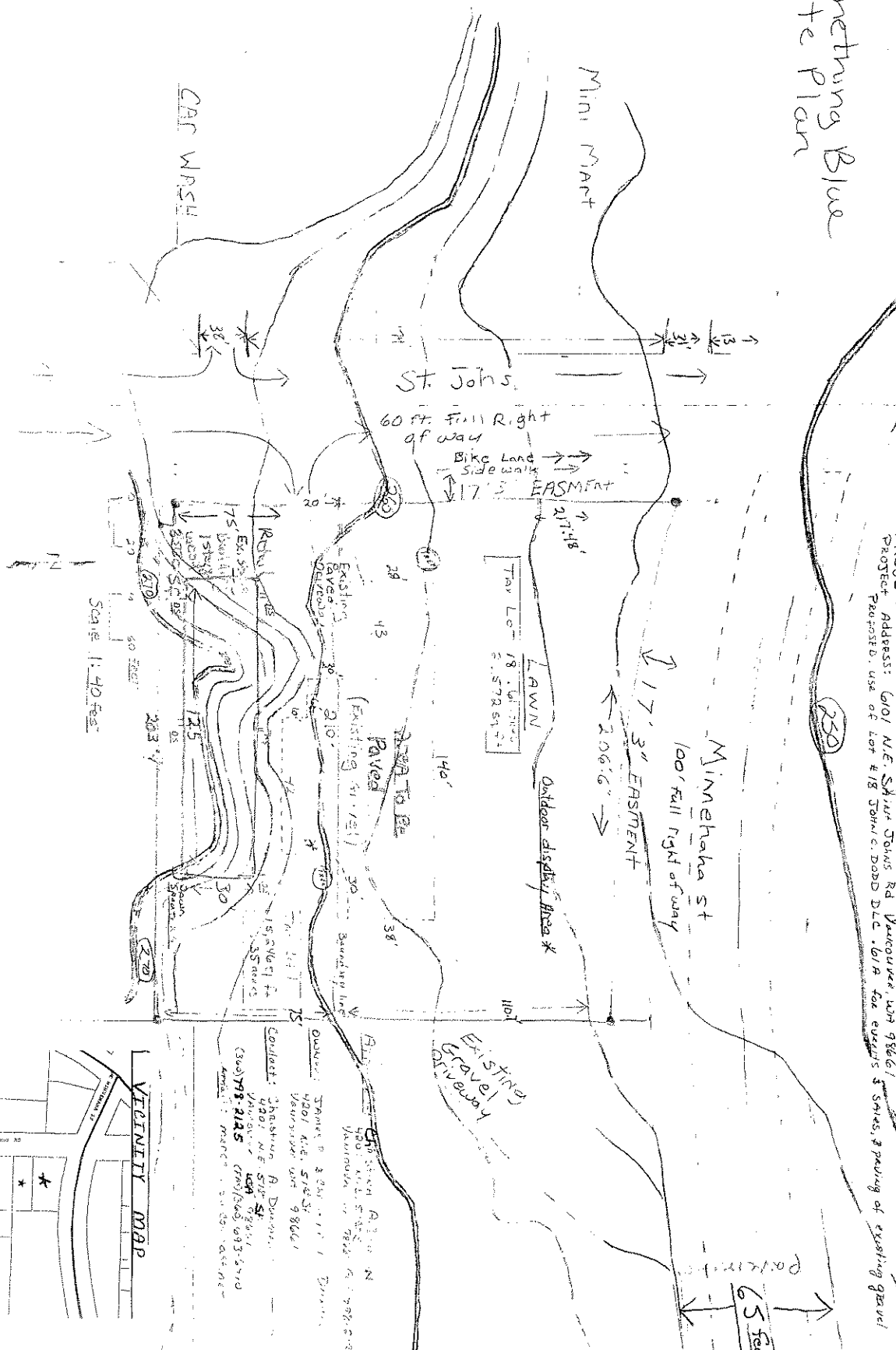
**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

[illegible]

Something Blue Site Plan

PROJECT NAME: THE FIRST
ADDRESS: 6101 N.E. SHAW DRIVE
PROJECT: WATER
PROPOSED USE OF LOT #18: JOHN C. DODD D.C. 61A FOR CEMENT & SANDS, & PAVING OF EXISTING DRIVE

[illegible]